REMARKS

This Amendment is accompanied by a Petition for Two-Month Extension of Time, along with payment of the extension fee for a small entity.

Original claims 1-25 were rejected under 35 U.S.C. §102(e) as describing subject matter which the Patent Examiner considered to be anticipated by the disclosure within U.S. Patent No. 6,629,131 to Choi. Without conceding that the filing date of the Choi disclosure (September 7, 1999) is prior to Applicant's date of invention, Applicant has amended the pending claims, and has set forth remarks below which explain why the claims as amended are neither anticipated by, nor rendered obvious is view of, the cited Choi disclosure.

Original claims 9-16 have been canceled above. To help ensure that various aspects of Applicant's invention are covered by the pending claims, Applicant has added new claims 26-128 above.

As amended, claim 1 recites a method of confirming proper receipt of e-mail, including, among others, the steps of delivering the e-mail file to a recipient e-mail address, detecting e-mail retrieval from the recipient e-mail address, discovering recipient data associated with the recipient e-mail address, generating a confirmation of receipt notice containing the discovered recipient data, and electronically transmitting a confirmation of receipt notice to a return e-mail address associated with the sending party, including the discovered recipient data. Applicant's specification explains (see page 9) that such discovered recipient data might take the form of pre-recorded registered recipient information resident in a computer associated with the recipient's email address, or identity information of an accessing party actually being notified of and/or viewing the e-mail file. Applicant's specification also explains (see page 25) that, in one preferred embodiment, the discovering step retrieves pre-recorded recipient data from the recipient computer system containing information associated with a registered user to whom the recipient e-mail address is registered. Without respect to the particular embodiment, the recited "discovering" step detects information that identifies the recipient beyond merely the recipient's email address.

In contrast, the cited Choi disclosure does not include, teach, or suggest the step of discovering recipient data associated with the recipient e-mail address. Choi assigns a unique code to an email message, and attaches the unique code to the message. When the message is opened by a recipient, a confirmation message is created that includes the assigned unique code so that the sender can be notified that the message was opened. This unique code is required in the Choi system so that the confirmation message can be matched with the original sender. However, the process described by Choi does not provide any recipient data that identifies the party who accessed and opened the message; hence, the Choi process does not provide any added assurance that the intended recipient targeted by the sender is the person who actually opened such message.

Claim 17 as amended recites a system for confirming proper receipt of e-mail transmitted over a communications network, and includes, among other things, first executable software means for detecting a designated access event generally associated with e-mail retrieval from the recipient e-mail address, second executable software means for discovering recipient data associated with the recipient e-mail address, and third executable software means for generating a confirmation of receipt notice containing the discovered recipient data. As explained in conjunction with claim 1, Choi does not disclose or suggest software that discovers recipient data associated with the recipient e-mail address, or software that generates a confirmation of receipt notice containing such discovered recipient data.
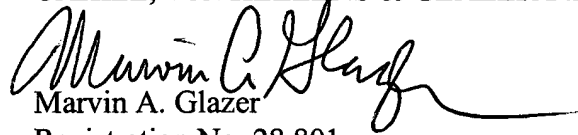
New claims 26-128 are also believed to be patentably distinguishable from the cited art of record.

Applicant respectfully submits that the present application is now in condition for allowance, which action is earnestly requested.

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Respectfully submitted,

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